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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/728,643	12/01/2000	Masashi Hamada	36409-00500	5951

7590 10/19/2004

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EXAMINER

MILLER, BRANDON J

ART UNIT

PAPER NUMBER

2683

DATE MAILED: 10/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/728,643	HAMADA, MASASHI
	Examiner	Art Unit
	Brandon J Miller	2683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 23 June 2004.
- 2a) This action is FINAL.      2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 22-26 and 29-31 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 22-26 and 29-31 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                  | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____  |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)         | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____                                    |

## **DETAILED ACTION**

### *Response to Amendment*

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 22-26 and 29-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anzai in view of Sanders, III.

Regarding claim 22 Anzai teaches a wireless system comprising a first and a second base stations (see col. 4, lines 1-2). Anzai teaches the first base station comprises a memory for storing identification information allocated by the first base station for specifying a terminal (see col. 4, lines 42-43 & 49-54). Anzai teaches a second base station allocating identification information to the terminal for specifying the terminal (see col. 11, lines 61-67); and requesting the first base station to release the first identification information allocated by the first base station and stored in the memory (see col. 11, lines 45-48 and col. 12, lines 1-4 & 21-25). Anzai does not specifically teach first identification information and second identification information. Sanders, III teaches first identification information and second identification information (see col. 4, lines 45-48 and col. 5, lines 21-23 & 66-67). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device adapt to include first identification information and second identification information because this would allow

for the efficient relay of information between terminals and base station devices in a wireless system.

Regarding claim 23 Anzai and Sanders, III teach a device as recited in claim 22 except for a second base station notifying a control apparatus in the wireless system about the identification information of the second base station and the second identification information. Anzai does teach second base station notifying the wireless system about the identification information of the second base station (see col. 11, lines 61-67 and col. 12, lines 1-13). Sanders, III does teach second identification information (see col. 4, lines 45-48 and col. 5, lines 66-67). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device adapt to include a second base station notifying a control apparatus in the wireless system about the identification information of the second base station and the second identification information because this would allow for improved monitoring of information transmitted between terminals and base station devices.

Regarding claim 24 Anzai and Sanders, III teach a device as recited in claim 22 except for a first base station that is enabled to allocate the first identification information to another terminal in response to a request of releasing the first identification information. Anzai does teach allocating identification information in response to a request of releasing the identification information (see col. 11, lines 64-67 and col. 12, lines 1-4). Sanders, III does teach allocating first identification information in response to releasing first identification information (see col. 4, lines 45-48 and col. 5, lines 21-23). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device adapt to include a first base station that is enabled to allocate the first identification information to another terminal in response to a request

of releasing the first identification information because this would allow for reduced interference among a plurality of base stations.

Regarding claim 25 Anzai teaches a method of allocating identification information to a terminal in a wireless system (see col. 4, lines 1-2 & 49-52 and col. 6, lines 16-19). Anzai teaches allocating identification information by a first base station to the terminal for specifying the terminal and storing the identification information in the first base station (see col. 4, lines 42-43 & 49-54). Anzai teaches allocating identification information by a second base station to the terminal for specifying the terminal (see col. 11, lines 61-67); and requesting from the second base station the first base station to release the identification information allocated by the first base station (see col. 11, lines 45-48 and col. 12, lines 1-4 & 21-25). Anzai does not specifically teach first identification information and second identification information. Sanders, III teaches first identification information and second identification information (see col. 4, lines 45-48 and col. 5, lines 21-23 & 66-67). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device adapt to include first identification information and second identification information because this would allow for the efficient relay of information between terminals and base station devices in a wireless system.

Regarding claim 26 Anzai and Sanders, III teach a device as recited in claim 23 and is rejected given the same reasoning as above.

Regarding claim 29 Anzai teaches a second base station receiving from the terminal identification information (see col. 11, lines 61-67). Anzai teaches requesting the first base station to release the identification information in accordance with the identification information received (see col. 12, lines 1-5). Anzai does not specifically teach first identification

information. Sanders, III teaches first identification information (see col. 5, lines 20-23). It would have been obvious to one of ordinary skill in the art at the time the invention was made to make the device adapt to include first identification information because this would allow for the efficient relay of information between terminals and base station devices in a wireless system

Regarding claim 30 Anzai and Sanders, III teach a device as recited in claim 24 and is rejected given the same reasoning as above.

Regarding claim 31 Anzai and Sanders, III teach a device as recited in claim 29 and is rejected given the same reasoning as above.

***Response to Arguments***

Applicant's arguments with respect to claims 22-26 & 29-31 have been considered but are moot in view of the new ground(s) of rejection.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Khan et al. U.S Patent No. 5,745,852 discloses a land-line supported private base station operable in a cellular system.

Shinomiya U.S Patent No. 6,016,430 discloses a radio communication system and method for avoiding control channel interference.

Kao U.S Patent No. 6,157,737 discloses a method and apparatus for wireless communications for base station controllers.

Ichikawa et al. U.S Patent No. 5,195,127 discloses radio telephone system and its control method.

Carlsson et al. U.S Patent No. 6,381,457 discloses a method and apparatus for determining if a mobile station is present in an area.

Antilla U.S Patent No. 6,370,394 discloses a system and a method for transferring a call and a mobile station.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brandon J Miller whose telephone number is 703-305-4222. The examiner can normally be reached on Mon.-Fri. 8:00 am to 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 703-308-5318. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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October 13, 2004

  
WILLIAM TROST  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600